



भारत निर्वाचन आयोग
Election Commission of India

निर्वाचन सदन
NIRVACHAN SADAN
अशोक रोड, नई दिल्ली 110001-
ASHOKA ROAD, NEW DELHI-110001

No. 318/ECI/INST/FUNC/CS/2019

Dated: 13th March, 2020

To

The Chief Electoral Officers of All States and
UTs of NCT of Delhi and Puducherry.

Sub: Biennial election to Council of States- Instruction with regard to streamlining the
conduct of Rajya Sabha elections- Clarification-reg

Sir,

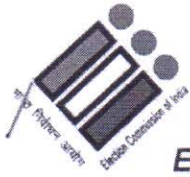
I am directed to invite your attention to Commission's instruction relating to
streamlining the conduct of Rajya Sabha elections contained in its letter dated 29.08.2016
(copy enclosed).

It has been brought to the notice of the Commission that the sequence of events
leading to handing over of violet pen by the voter to the designated polling officer as
conveyed in para (6) of the Commission's letter dated 29.08.2016 is at variance with the
sequence of events as indicated in layout design of place of poll for election to Council of
States as communicated vide Commission's letter dated 15.12.2017 (copy enclosed). In this
regard, it is clarified that the integrated violet colour sketch pen shall be taken from the
elector by the designated polling officer after he/she comes out of the voting compartment
but before showing his/her marked ballot paper to the authorised representative of his/ her
political party. Steps 4 & 5 of the layout plan conveyed by the aforesaid letter dated
15.12.2017 accurately captures the above sequence.

2. The above clarification shall be brought to the notice of all concerned.

Yours faithfully,

(PRAFULL AWASTHI)
UNDER SECRETARY



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No- 322/INST/2016-B&E

Dated 29th August, 2016

To,

The Chief Electoral Officers of

(All States and UTs of Delhi and Puducherry.)

Subject: Instructions with regard to streamlining the conduct of elections to Rajya Sabha and Legislative Councils – regarding.

Sir/ Madam,

I am directed to state that with a view to further streamlining the electoral process in Rajya Sabha and Legislative Council, a need has been felt to exercise greater oversight over the entire election process, including training of the concerned electoral officials including RO/ARO, greater role for the CEOs as well as Observers, clarity in voting procedures and a robust grievance-redressal mechanism. With all the aforesaid points in mind, the Commission has issued the following directions:-

- 1) Chief Electoral Officers of the respective states being the overall in-charge of the conduct of the elections to Rajya Sabha and Legislative Councils shall be responsible for ensuring that the same are conducted in a free & fair manner strictly as per law and the instructions of the Commission. He shall also be responsible for printing of ballot papers needed for conduct of elections and supply of all election materials.
- 2) (a) Chief Electoral Officer shall, from the date of notification till the completion of election, put into operation a 24X7 control room and give due publicity of the same. All complaints including but not restricted to undue influence by offering cash or kind to a voter with a view to getting his/her vote, any type of threats, coercion to voters in the free exercise of franchise, misuse of the state machinery for electoral gains, partisan attitude or unbecoming conduct of connected election officers/police officers adversely affecting the

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fairness of poll ,etc ,must be received and disposed of on a daily-basis with daily reports to the Commission.

(b) The ROs/AROs for elections to Rajya Sabha and Legislative Councils (by MLAs) shall bring to the notice of concerned CEO all complaints received by them along with necessary factual reports/comments, who shall compile and monitor the disposal and take appropriate remedial measures/decision . For elections to Legislative Councils (other than by MLAs), it shall be responsibility of the concerned DEO/RO.

(c)The CEO shall keep a close monitoring of all DEOs/ROs complaint monitoring dash board and keep ECI intimated every alternate day.

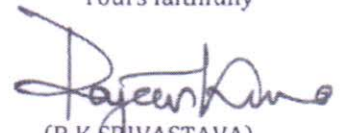
(d) Serious complaints warranting immediate actions/intervention by Commission must be specifically brought to the Commission's notice.

3. Though there is no ceiling of lawful expenditure in the said elections, yet ostentatious display of money power and bribing of electors has to be checked. Hence, the Chief Electoral Officer shall put in place necessary measures to control it. Suitable instructions keeping in view spirit of the ECI guidelines on expenditure management may be issued by CEO. He shall be nodal officer for liaising with DGP & Chief Commissioner of Income Tax for ensuring full compliance of the same.
4. A mandatory orientation /refresher training to ROs/AROs and the polling/counting staff in the conduct of elections to Rajya Sabha and state Legislative Council would be arranged at IIDEM by training division of the Commission. Only such officers who get a certificate after training shall be associated with conduct of these elections.
5. The Commission may appoint observers for the above said elections who shall report to ECI regularly their observations relating to nominations, any pre-poll, during poll & post-poll irregularities, complaints/incidents having bearing on purity of elections.
6. Hereafter, in no case, the violet pen for marking the preferences by the voter shall be kept tied up in the voting compartment. During poll, each voter shall personally be handed over a pen, which he/she shall use for marking the preferences on ballot paper. After, he/she comes out of the voting compartment and inserts the marked ballot paper in the ballot box, the pen shall be taken from him by the designated polling officer. The Commission has decided to get integrated violet colour sketch pen(s) of pre-fixed specification

manufactured from M/s Mysore Lac and Paints Ltd, Mysore, Karnataka. The CEOs shall procure these pens only from the above said manufacturer for use in election. No other pen shall, under any circumstance, be used in the above said elections. The Commission would soon be issuing necessary guidelines in this regard from Election Material Division of the ECI. This would be applicable for all elections of Legislative Councils and Rajya Sabha.

Please bring this into notice of all concerned for future compliance.

Yours faithfully



(R.K. SRIVASTAVA)
Sr. PRINCIPAL SECRETARY



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ASHOKA ROAD, NEW DELHI-110001

No. 318/ECI/INST/FUNC/CS /2017

Dated : 15th December, 2017

To

The Chief Electoral Officers of
All States and UTs of Delhi and Puducherry

Subject: Biennial Election to the Council of States -Layout design for Polling Station
arrangement -reg
Sir,

I am directed to forward herewith a layout design of place of poll during election to
Council of States duly approved by the Commission for strict compliance in future Council of
States elections.

Yours faithfully

(SUMAN KUMAR DAS)
UNDER SECRETARY

